

1 BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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4 In the Matter of:  
5 Petition by the  
6 residents of Polo Park  
7 requesting extended area  
8 service (EAS) between the  
9 Haines City exchange and  
the Orlando, West Kissimmee,  
Lake Buena Vista, Windermere,  
Reedy Creek, Winter Park,  
Clermont, Winter Garden and  
St. Cloud exchanges.

DOCKET NO. 930173-TL

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11 PROCEEDINGS: PREHEARING CONFERENCE  
12 BEFORE: JULIA L. JOHNSON  
13 DATE: May 30, 1996  
14 TIME: Commenced at: 1:30 p.m.  
15 Concluded at: 1:40 p.m.  
16 PLACE: Florida Public Service  
17 Commission 4075 Esplanade Way  
18 Room 152 Tallahassee, Florida

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22 Reported by:  
23 BETH B. WHITE  
CSR, CCR, CP, RPR, RMR

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## 1 APPEARANCES:

2 JOHN B. HILKIN, 235 Jackson Park Avenue,  
3 Davenport, Florida 33837; appeared on behalf of Polo  
4 Park Homeowners Association.

5 NANCY WHITE and PHIL CARVER, 150 South Monroe  
6 Street, Room 400, Tallahassee, Florida 32301; appeared  
7 on behalf of the BellSouth Telecommunications, Inc.

8 ANTHONY P. GILLMAN, P. O. Box 110, FLTC0007,  
9 Tampa, Florida 33601; appeared on behalf of GTE Florida  
10 Incorporated.

11 J. JEFFRY WAHLEN, P. O. Box 391, Tallahassee,  
12 Florida 32302; appeared on behalf of United Telephone  
13 Company of Florida and Vista United Telecommunications.

14 DONNA L. CANZANO, 2540 Shumard Oak Boulevard,  
15 Tallahassee, Florida 32399-0850; appeared on behalf of  
16 the Florida Public Service Commission.

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## P R O C E E D I N G S

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2 COMMISSIONER JOHNSON: Good afternoon  
3 everyone. I am going to go ahead and convene this  
4 pre-hearing conference. Counsel, could you read  
5 the notice?

6 MS. CANZANO: Yes, pursuant to an amended  
7 notice the pre-hearing conference has been set for  
8 this time and this place.

9 COMMISSIONER JOHNSON: All right. We will take  
10 appearances at this time.

11 MS. WHITE: Nancy White and Phil Carver for  
12 BellSouth Telecommunications, 150 South Monroe  
13 Street, Tallahassee, Florida.

14 MR. WAHLEN: Jeff Wahlen of the Ausley and  
15 McMullen law firm, P. O. Box 391, Tallahassee,  
16 Florida 32302, appearing on behalf of United  
17 Telephone Company of Florida and Vista United  
18 Telecommunications.

19 MR. HILKIN: My name is John Hilkin. I am  
20 representing the Polo Park Homeowners Association  
21 and I live at 235 Jackson Park in Davenport.

22 COMMISSIONER JOHNSON: Okay.

23 MR. GILLMAN: I am Tony Gillman. I am  
24 representing GTE Florida Incorporated, Box 110,  
25 Tampa, Florida, and with me today is also Mike

1 Scobie from Tampa.

2 Thank you.

3 MS. CANZANO: And I am Donna Canzano appearing  
4 on behalf of the Commission staff, and the address  
5 is 2540 Shumard Oak Boulevard, Tallahassee,  
6 Florida.

7 COMMISSIONER JOHNSON: Are there any  
8 preliminary matters for us to--

9 MR. WAHLEN: Yes, I have one preliminary  
10 matter. Last week I filed a motion to file a  
11 pre-hearing statement on behalf of Vista United  
12 Telecommunications. I have consulted with the  
13 parties here and no one objects to that motion  
14 being granted and at this time I guess I would ask  
15 the pre-hearing officer to address that and  
16 hopefully grant the motion, and then Vista's  
17 positions would be reflected in the pre-hearing  
18 statement or the pre-hearing order and we could  
19 file a brief at the end of the case. They will not  
20 be providing a witness in this case.

21 COMMISSIONER JOHNSON: Okay. Show that motion  
22 granted without objection from any of the  
23 parties.

24 Any other preliminary matters?

25 MS. WHITE: Yes, BellSouth has one. I have

1 spoken to all the parties and they have agreed to  
2 have the testimony of Mr. Stanley, BellSouth's  
3 witness in this case, stipulated into the record  
4 at the hearing, so BellSouth will not put on a  
5 witness but they will have someone there to answer  
6 questions at the hearing on the 14th--

7 COMMISSIONER JOHNSON: Okay.

8 MS. WHITE: -- of June.

9 COMMISSIONER JOHNSON: Very good.

10 MS. CANZANO: And I would just like to clarify  
11 and that means somebody ready and available to  
12 answer questions for the customer testimony  
13 portion?

14 MS. WHITE: Sure. Sure.

15 MS. CANZANO: Okay.

16 COMMISSIONER JOHNSON: Any other matters?  
17 Seeing none, I am certain most of you, or all of  
18 you received a draft of the pre-hearing order.

19 At this point in time I will entertain any  
20 questions or amendments or changes that we might  
21 need to make to the pre-hearing order.

22 MR. WAHLEN: I have one. I would like the  
23 appearance portion of the order to indicate that  
24 Lee Willis and I will be appearing on behalf of  
25 United Telephone and Vista United

1 Telecommunications and I can get with Mrs. Canzano  
2 about that.

3 In addition, I understand that certain  
4 traffic studies may be identified and put in the  
5 record as exhibits and I don't know if it's  
6 appropriate to talk about that now or later.

7 COMMISSIONER JOHNSON: Counsel?

8 MS. CANZANO: What in particular are you  
9 talking about?

10 MR. WAHLEN: United has two traffic studies  
11 and Vista has one traffic study. United's are  
12 confidential. Vista's is not. Just in the  
13 interest of completeness I was imagining that they  
14 would be inserted into the record at some point.

15 MS. CANZANO: And, yes, they would need to be.  
16 Do you want us to indicate that on the exhibit  
17 list?

18 MR. WAHLEN: That would be fine.

19 MS. CANZANO: Maybe can get with me and we can  
20 identify it as--

21 MR. WAHLEN: Sure.

22 MS. CANZANO: -- give it an exhibit number.

23 MR. WAHLEN: Okay.

24 COMMISSIONER JOHNSON: Okay. Then before the  
25 order is issued then it will be updated to reflect

1           those exhibits.

2           MS. CANZANO: Yes.

3           COMMISSIONER JOHNSON: Any other matters? Did  
4 you--

5           MS. WHITE: Corrections to the--

6           COMMISSIONER JOHNSON: Uh-huh.

7           MS. WHITE: Yes, BellSouth has one. In the  
8 general position, basic position section, the last  
9 sentence of that, of our paragraph for BellSouth  
10 says that if an alternative to our plan is  
11 appropriate then modified E. C. S. is the best  
12 alternative, and I would take out the word  
13 "modified"; should just be a plain E. C. S.

14           COMMISSIONER JOHNSON: You are on page --  
15 where were you on, page seven?

16           MS. WHITE: I'm sorry. I am on page five.

17           COMMISSIONER JOHNSON: Okay. And then on page  
18 seven y'all have I believe--

19           MS. WHITE: M. E. C. S. it should just be E.  
20 C. A. rather than M.

21           COMMISSIONER JOHNSON: Got you.

22           MS. WHITE: That would be on page seven, and  
23 let me just go through quickly--

24           MS. CANZANO: Page seven?

25           MS. WHITE: I'm sorry.

1           COMMISSIONER JOHNSON: The first was on page  
2 five.

3           MS. CANZANO: Got you.

4           COMMISSIONER JOHNSON: The last sentence and  
5 then they started using that acronym and I know  
6 they at least continued it on page seven.

7           MS. CANZANO: Okay.

8           MS. WHITE: Right. And let me check the other  
9 pages just really quickly. Yes, those are the only  
10 two pages, five and seven.

11           COMMISSIONER JOHNSON: Very good. Show the  
12 pre-hearing order modified as stated.

13           MS. CANZANO: I have one question.

14           COMMISSIONER JOHNSON: Uh-huh.

15           MS. CANZANO: On Vista United's pre-hearing  
16 statement that has been accepted--

17           MR. WAHLEN: Right.

18           MS. CANZANO: -- it says no position at this  
19 time for certain issues. Do you take no  
20 position?

21           MR. WAHLEN: We were going to reserve taking a  
22 position on those until after the hearing and the  
23 evidence is in. We don't have any positions at  
24 this time on those.

25           MS. CANZANO: Okay.



1           COMMISSIONER JOHNSON: Any other questions or  
2 comments? Mr. Gillman, anything you would like to  
3 see changed or corrected?

4           MR. HILKIN: Nothing at this point.

5           COMMISSIONER JOHNSON: No?

6           MR. HILKIN: Nothing from me.

7           COMMISSIONER JOHNSON: Okay. Seeing none we  
8 will have the pre-hearing order amended as stated  
9 in this pre-hearing conference, and it will be  
10 issued in the near future.

11           Thank you, Mr. Gillman.

12           MR. HILKIN: Just one question relative to  
13 customer testimony.

14           COMMISSIONER JOHNSON: Uh-huh.

15           MR. HILKIN: Would you please explain what the  
16 customers are allowed to put into the record?  
17 Expression of concerns for service? We just don't  
18 know how many people will be allowed to speak and  
19 what should be the nature and the direction of  
20 their questions.

21           MS. CANZANO: First I want to make sure that  
22 it's clear that when you are talking about the  
23 customer testimony, the customer service hearings  
24 not the actual formal hearing that we are going to  
25 have in the middle of the day, it will be the one

1           that is--

2           MR. HILKIN: 10:00 a.m. and 6:00 p.m.?

3           MS. CANZANO: Right.

4           MR. HILKIN: The public expression.

5           MS. CANZANO: So we are talking just about  
6           that portion?

7           MR. HILKIN: That only.

8           MS. CANZANO: It's pretty liberal in terms of  
9           what they can talk about related to this extended  
10          area service. Some people bring maps, although I  
11          would encourage you to bring, you know, if they  
12          want, need to do something like that, a piece of  
13          paper and serve it to all the parties ahead of  
14          time so they can ask questions if they need to.

15          MR. HILKIN: Is there a time frame for any  
16          individual?

17          COMMISSIONER JOHNSON: Generally with respect  
18          to your question as to how many people can  
19          testify, as many that show up and want to testify  
20          we will allow them to testify. We generally ask  
21          that they try to keep their comments to five  
22          minutes, but we are amenable to if they have  
23          something to say we are going to stay there and  
24          listen as long as they would like.

25          MR. HILKIN: All right.

1           COMMISSIONER JOHNSON: We generally ask for  
2           that five minutes as a matter of courtesy to the  
3           other witnesses that like to see things move a  
4           little more rapidly.

5           MR. HILKIN: Uh-huh.

6           COMMISSIONER JOHNSON: But to the extent that  
7           there are issues or comments that they have with  
8           respect to receiving this service, they can  
9           express those to the Commissioners. To the extent  
10          that there are other quality of service issues or  
11          any other matters related to the  
12          telecommunications or related to either of the  
13          companies involved in this case, we are amenable  
14          to that testimony also.

15          MR. HILKIN: That is fine. That clarifies  
16          it. Thank you.

17          COMMISSIONER JOHNSON: Uh-huh.

18          Anything else?

19          MR. GILLMAN: I was going to say or will say  
20          regarding other testimony about other problems or  
21          concerns with the company, we will have someone  
22          there to answer any questions about, you know, non  
23          E. S. matters.

24          COMMISSIONER JOHNSON: Okay.

25          MR. GILLMAN: We have taken steps and if you

1 still want to hear from the customers, you know,  
2 that is fine, but we will have somebody there to  
3 address other concerns if any customers have any.

4 COMMISSIONER JOHNSON: Uh-huh, and that is  
5 generally what we do to the extent that there are  
6 other concerns that they raise, if the company has  
7 a representative there we will try to get them a  
8 response right away and if it's something that  
9 they cannot respond to during the hearing then we  
10 will try to help with the follow-up.

11 MR. HILKIN: Okay. Thank you.

12 COMMISSIONER JOHNSON: Any other questions?  
13 Seeing none show this pre-hearing conference  
14 adjourned.

15 Thank you very much.

16 (Whereupon, the proceedings were concluded at  
17 approximately 1:40 p.m.)

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CERTIFICATE OF PROCEEDINGS

STATE OF FLORIDA)  
COUNTY OF LEON )

I, BETH B. WHITE, CSR, CCR, CP, RPR, CM,  
Court Reporter and Notary Public in the County of Leon,  
State of Florida, do hereby certify as follows:

THAT I correctly reported in shorthand the  
foregoing proceedings at the time and place as stated  
hereof;

THAT the foregoing pages 3 through 12, both  
inclusive, contain a full, true and correct transcript  
of the proceedings on said occasion;

THAT I am neither of kin nor of counsel to  
any of the parties involved in this matter, nor in any  
manner interested in the results thereof.

THIS 7th day of June, 1996.



BETH B. WHITE,  
Court Reporter and Notary  
STATE OF FLORIDA AT LARGE